IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.21371 of 2004

Between:

Nangedda Ahobala Rao, S/o. Sesha Rao,
R/o. Peddathummidi Village, Bantumilli Mandal, Krishna District.

..... PETITIONER

AND

1 The District Collector, Krishna, Chilakalapudi, Machilipatnam.
2 The Revenue Divisional Officer, Machilipatnam, Krishna District.
3 The mandal Revenue Officer, Bantumilli Mandal,
Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to Issue a Writ of Mandamus or any other appropriate writ, order or direction particularly in the nature of mandamus declaring the Urgent Notice No.Rc.B.386/2004 dt. 6.11.2004 as illegal, arbitrary and in violation of principles of natural justice and in violation of Articles 14, 21 and 300 A of the Constitution of India.

Counsel for the Petitioner: MR.V.V.PRABHAKARA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Assailing the urgent notice dated 6-11-2004, issued by respondent No.3 calling upon them to present before him on
16-11-2004 along with relevant proof as to how he came to acquire the lands mentioned in the notice, the present writ petition is filed.

The learned counsel for the petitioner submits that even though he appeared before respondent No.3 along with the relevant proof, respondent No.3 was disinclined to look into the same, and is making attempts to evict him from the land mentioned in the notice.

Having regard to the facts and circumstances of the case,
I deem it appropriate to dispose of the writ petition with the following directions:

Respondent No.3 shall consider the representation along with the relevant material submitted by the petitioner pursuant to the impugned notice, and pass appropriate orders, before taking any steps for eviction of the petitioner from the lands in question. Till the representation of the petitioner along with the relevant material is considered, and appropriate orders passed, status quo obtaining as on today shall

be maintained by the parties.

The writ petition is accordingly disposed of at the stage of admission. No costs.

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N.V. RAMANA, J.

Date: 23rd November, 2004.

Note:

Issue CC tomorrow.

(B/o)

NSR/KSR

To

1 The District Collector, Krishna, Chilakalapudi, Machilipatnam.
2 The Revenue Divisional Officer, Machilipatnam, Krishna District.
3 The Mandal Revenue Officer, Bantumilli Mandal,
Krishna District.

4 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

5 Two CD copies.